

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD INTERCHANGE
FEE AND MERCHANT DISCOUNT
ANTITRUST LITIGATION**

This Document Relates to:

***Rum Point Recovery LLC, et al. v. Visa Inc., et al.*, No. 23-cv-00232 (E.D.N.Y.) (MKB) (VMS).**

No. 05-md-01720 (MKB) (VMS)

**PLAINTIFFS' STIPULATION AND
ORDER OF DISMISSAL WITH
PREJUDICE OF ALL CLAIMS**

WHEREAS plaintiffs Rum Point Recovery LLC and North Side Recovery, LLC (collectively the "Plaintiffs"), which are all of the plaintiffs in the action *Rum Point Recovery LLC, et al. v. Visa Inc., et al.*, No. 23-cv-00232 (E.D.N.Y.), which action is included in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, No. 1:05-md-01720 (E.D.N.Y.), having fully settled all of their respective claims against all of the defendants in the *Rum Point Recovery* action — i.e., Visa Inc., Visa U.S.A. Inc., and Visa International Service Association (collectively the "Visa Defendants"), and Mastercard International Incorporated and Mastercard Incorporated (collectively the "Mastercard Defendants") — by and through their undersigned counsel, hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a), that the Plaintiffs' claims and action against the Visa Defendants and the Mastercard Defendants be dismissed with prejudice, and with each side to bear its own attorneys' fees and costs, provided that the Court retains continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties' settlement agreement or this Stipulation and Order of Dismissal, or their applicability to any suit, action, proceeding, or dispute.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that (1) the Court will retain continuing and exclusive jurisdiction to resolve any matter arising out of or relating to the parties' settlement agreement or this Stipulation and Order of Dismissal, or their applicability to any suit, action, proceeding, or dispute, and (2) the claims and action of the Plaintiffs be and hereby are dismissed with prejudice, with each side to bear its own attorneys' fees and costs.

Dated: January 23, 2023.

MCKOOL SMITH PC

By: 

John C. Briody
James H. Smith
One Manhattan West, 50th Floor
New York, NY 10001
(212) 402-9400
jbriody@mckoolsmith.com
jsmith@mckoolsmith.com

Attorneys for Plaintiffs

**ARNOLD & PORTER KAYE SCHOLER
LLP**

By: 

Robert C. Mason
250 West 55th Street
New York, NY 10019-9710
(212) 836-8000
robert.mason@arnoldporter.com

Robert J. Vizas
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111-4024
(415) 471-3100
robert.vizas@arnoldporter.com

Anne P. Davis
Matthew A. Eisenstein
601 Massachusetts Avenue, NW
Washington, DC 20001-3743
(202) 942-5000
anne.davis@arnoldporter.com
matthew.eisenstein@arnoldporter.com

HOLWELL SHUSTER & GOLDBERG LLP

Michael S. Shuster
Demian A. Ordway
Blair E. Kaminsky
425 Lexington Avenue
New York, NY 10017
(646) 837-5151
mshuster@hsgllp.com
dordway@hsgllp.com
bkaminsky@hsgllp.com

*Attorneys for Defendants Visa Inc., Visa U.S.A.
Inc., and Visa International Service Association*

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

By: 

Gary R. Carney
1285 Avenue of the Americas
New York, NY 10019-6064
(212) 373-3000
gcarney@paulweiss.com

Kenneth A. Gallo
Donna M. Ioffredo
2001 K Street, NW
Washington, DC 20006-1047
(202) 223-7300
kgallo@paulweiss.com
dioffredo@paulweiss.com

*Attorneys for Defendants Mastercard
Incorporated and Mastercard International
Incorporated*

SO ORDERED:

Dated:

Brooklyn, New York

United States District Judge